

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6550**

**BILL NUMBER:** SB 99

**NOTE PREPARED:** Dec 7, 2002

**BILL AMENDED:**

**SUBJECT:** Alcohol Abuse and Bail.

**FIRST AUTHOR:** Sen. Wyss

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:**     **GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** This bill permits a court to require a defendant to receive deterrent treatment for alcohol abuse as a condition of bail when the defendant's use of alcohol contributed to the offense and the defendant's continued use of alcohol may pose a risk of physical danger.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** Under current law, a defendant may be released before trial under a series of conditions ranging from posting bond to supervision by a probation officer or another qualified person or organization. This bill would allow a court to order a person to report for supervision in an alcohol abuse program. Allen Circuit Court has already implemented this program as a condition of pretrial release.

Under IC 9-30-9-3, circuit courts may establish alcohol abuse deterrent programs requiring the administration of antabuse or any other chemical deterrent to the use of alcohol. The maximum fee that can be charged is \$400. Proceeds from these fees are deposited in the county alcohol abuse deterrent fund. There are at least two programs that currently exist under this statute.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Circuit courts in Indiana.

**Information Sources:** IC 9-30-9-3; Thomas Ryan, Allen Circuit Court Judge.

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